



STATE OF MICHIGAN

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GOVERNOR

DEPARTMENT OF LABOR & ECONOMIC GROWTH
KEITH W. COOLEY
DIRECTOR

Michigan Occupational
Safety & Health Administration
(MIOSHA)

GENERAL INDUSTRY SAFETY STANDARDS COMMISSION MEETING

October 10, 2007--9:30 A.M.

STATE SECONDARY COMPLEX, 7150 HARRIS DRIVE, LANSING
GENERAL OFFICE BUILDING, CONFERENCE ROOM G

MINUTES

MEMBERS PRESENT:

Mr. Thomas Pytlik
Mr. Dennis Emery
Mr. AJ Hale

Mr. William Borch
Ms. Elizabeth Koto

MEMBERS ABSENT:

Mr. Jeffrey Radjewski
Mr. Karl Heim

Mr. Dwayne Betcher

DEPARTMENT PERSONNEL PRESENT:

Mr. John Brennan, Division Director GISHD
Ms. Eva Hatt, Safety & Health Manager GISHD
Ms. Cindy Eicher, Standards Section
Ms. Martha Yoder, Deputy Director, MIOSHA

Mr. Doug Kalinowski, Director, MIOSHA
Ms. Marsha Parrott-Boyle, Program Manager
Standards Section
Mr. John Peck, Division Director, MTSD

VISITORS ATTENDING:

Mr. Jim Fisk, USWA 12075
Mr. George Reamer

Mr. Tycho Fredericks

MISSION STATEMENT

THE MISSION OF THE GENERAL INDUSTRY SAFETY STANDARDS COMMISSION IS TO PROVIDE THE LEADERSHIP AND VISION NECESSARY TO ENSURE A SAFE WORK ENVIRONMENT FOR THE PEOPLE OF MICHIGAN.

THE COMMISSION INVOLVES EMPLOYEES AND EMPLOYERS IN THE DEVELOPMENT OF SAFETY STANDARDS AS IT ENDEAVORS TO CONTINUALLY EXAMINE AND IMPROVE THOSE STANDARDS FOR PURPOSE, CLARITY, APPLICABILITY, ENFORCEABILITY, AND COST EFFECTIVENESS.

OUR VISION IS TO BE A RECOGNIZED LEADER IN SAFETY FOR THE WORK ENVIRONMENT FOR THE PEOPLE OF MICHIGAN BY INCORPORATING THE CHANGING NEEDS OF NEW TECHNOLOGIES AND METHODS INTO OUR STANDARDS.

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Agenda Item #1--Call to Order and Roll Call

The October 10, 2007 General Industry (GI) Safety Standards Commission meeting was called to order by Vice Chairperson Emery. A roll call was taken and a quorum was present.

Agenda Item #2—Introduction of New Commissioners (AJ Hale and Elizabeth Koto)

Ms. Marsha Parrott-Boyle advised that Commissioners Betcher and Pytlik have recently been reappointed for new terms on the commission. Ms. Parrott-Boyle advised that we have two new commissioners Ms. Elizabeth Koto representing management of public employers, Ms. Koto is a city planner and works with facilitation of a commission for the City of St. Clair Shores. Ms. Parrott-Boyle also introduced AJ Hale who newly appointed and is representing management of 200 or less employees. Mr. Hale works for Tenneco, he has twenty years as a leader in occupational health and safety and serves as the president for the Michigan Safety Conference.

All staff and commissioners gave full introductions of themselves. Commissioner Emery thanked George Reamer for his years of service with the commission. Ms. Martha Yoder presented Mr. Reamer with a plaque from MIOSHA. Mr. Reamer wished the commissioners luck in their future endeavors

Agenda Item #3--Approval of Minutes for August 8, 2007

A motion was made by Commissioner Borch and was seconded by Commissioner Pytlik to approve the minutes of the August 8, 2007 Commission meeting. **MOTION CARRIED UNANIMOUSLY.**

Agenda Item #4--Standards Section Update—Marsha Parrott-Boyle

Ms. Parrott-Boyle reviewed with the commissioners the MIOSHA Strategic Goals for FY04-08 as it relates to standards. Ms. Parrott-Boyle advised that one new item had been added to the list of pending standards since the last meeting, OH Part 350 Carcinogens. Ms. Parrott-Boyle continued with a detailed progress report for rules under revision.

The ergonomic standards Advisory Committee's Appendix work group continues to meet. Mr. Tycho Fredericks, the Liaison for the Commission, will be providing an update later in the meeting.

A public hearing was held on September 17, 2007 in Lansing, Michigan on three standards, GI Part 58, Aerial Work Platforms, CS Part 32, Aerial Work Platforms and GI Part 5, Scaffolding. The proposed changes deal with consistency between the standards and the need for clarity. Vice Chairperson Emery attended the public hearing representing the Commission. A public hearing report will be forwarded to the commissioners upon its completion. Three comments were received. There will be some changes made to the proposed standard based upon suggestions received at the public hearing. Mr. John Brennan explained the major areas of change and the reasons behind the proposed changes.

OH Part 529 Welding, Cutting and Brazing standard is being worked on internally to reflect 1998 changes in respiratory protection provisions and maybe there may be a consolidation of GI Part 12 and OH Part 529.

Ms. Parrott-Boyle advised that in the near future we will be working on prioritizing the additional standards that have been added to the list, since 2004.

Ms. Parrott-Boyle advised that the Standards Section has had staff and hour cuts. They no longer have a student assistant.

Agenda Item #5--Old Business

a. Ergonomics Update—Tycho Fredericks

Mr. Tycho Fredericks reviewed the history of the Ergonomics Advisory Committee currently developing the appendices for the proposed draft standard. Mr. Fredericks gave a brief overview of the current draft of the standard and the appendices and reported that several organizations from business and labor attended the last meeting. Written comments that were received by said organization were provided to commissioners. Mr. Fredericks invited commissioners to attend subcommittee and/or advisory committee meetings to help them get a greater understanding of the work and progress that is being made. Discussion was held regarding examples of

employers who have saved money by implementing an ergonomics program

Agenda Item #11--Public Comment

Ms. Amy Shaw from the Michigan Manufactures Association expressed her appreciation that the commissioners were provided with copies of the written comments submitted to the Ergonomics subcommittee meeting on Monday. She stated they were not opposed to ergonomics in general but they do not agree that an ergonomic standard is the way to go. They feel voluntary rather than mandatory ergonomic programs are the preferred method.

Agenda Item #5--Old Business

a. Part 74, Fire Fighting Advisory Committee

1. Mr. Jim Rose reassigned as management

The commissioners received a copy of the current roster for the Fire Fighting Advisory Committee. At the last meeting, there was discussion as to the correct designation for Mr. Jim Rose's assignment. After discussion with Mr. Rose, it was determined he would serve best designated as a management representative as he is a volunteer fire chief. A motion was made by Commissioner Pytlik and was seconded by Commissioner Borch to appoint Mr. Rose as a management representative. **MOTION CARRIED UNANIMOUSLY.**

2. New Application Karl A. Barr

3. New Application Patrick James DuVall

New applications were received after the last meeting. The two applications for Mr. Karl Barr and Mr. Patrick DuVall were reviewed. The committee currently has 4 labor representatives, 4 management representatives and one technical advisor which is the average size for advisory committees. Discussion was held regarding the options. The commissioners also discussed that Commissioner AJ Hale was previously appointed to the advisory committee. A motion was made by Commissioner Pytlik and was seconded by Commissioner Borch to table the two new applications. **MOTION CARRIED UNANIMOUSLY.** The commissioners also stated they did not have any concerns with Commissioner Hale continuing to serve on the Part 74 Fire Fighting Advisory Committee.

Agenda Item #6--New Business

a. Strategic Plan Development, Phase 1—Martha Yoder, Deputy Director

Ms. Martha Yoder advised we are in the 5th year of a 5 year strategic plan so MIOSHA has started the development process for the next strategic plan. The goals need to be decided for the next 5 years. MIOSHA has a strategic plan implantation team working on this. The first meeting was held in September. They looked at the top 20 hazardous industries and the highest hazard occupations in addition to inspection data and came up with proposals to be considered in developing the next 5 year plan. The first strategic plan had 3 overall goals, these would be kept but within the goals there would be changes. In the next plan these would be blended together. A workgroup is trying to incorporate as many of the top 20 hazardous industries as possible.

MIOSHA is interested in commissioners input and suggestions; how we might best impact the targeted industries; are there concerns regarding the industries not included in the new strategic plan. Many of the goals from the last strategic plan will still be used and some may be revised. MIOSHA will be adding the Connecting MIOSHA to Industry initiative into the Plan. A mid march proposed timeline was distributed. Ms. Yoder will be returning to the commission at their January 9, 2008 meeting to receive any input or suggestions the commissioners may have.

Agenda Item #7--General Industry Safety and Health Division Update—John Brennan, Director

Mr. John Brennan informed the Commissioners that to date there have been 14 fatalities under GI's jurisdiction in 2007. Mr. Brennan provided a summary of fatalities.

Mr. Brennan has reassigned a safety officer to assist in the Employee Discrimination Section (EDS) section to try and help reach the strategic plan goal of resolving 75% of all MIOSHA discrimination cases within 90 calendar days.

MIOSHA is continually to have joint training which most recently included the newly revised Part 76 Spray

Finishing Using Flammable and Combustible Materials.

Mr. Brennan advised they have reinspected 124 employers in certain NAICS codes that had five or more previous serious hazard citations. Upon reinspection 59 of these employers have shown a decrease in serious hazards and 50 companies had less than 5 serious and showed improvements in safety and health practices.

Mr. Brennan also updated the commission on the Division's progress towards relevant strategies, performance goals, and partnerships/alliances. GI staff participated in the 2nd annual take a stand day held on August 15, 2007 with very good results. The General Industry Safety and Health Division currently has 27 Safety Compliance Officers, 21 Health Compliance Officers and 2 Field Investigators with the Employee Discrimination Section. The division is in the process of filling the emergency management coordinator. The division has cut three student assistants due to budget constraints.

Agenda Item #8--MIOSHA Update—Doug Kalinowski, MIOSHA Director

Mr. Doug Kalinowski thanked George Reamer for his years of service on the commission. Mr. Doug Kalinowski briefly discussed the state budget. Mr. Kalinowski advised that federal funding for state plans have only received a 3 % increase over a period of 7 years. To provide further details, the Commissioners received a copy of 2007 Special Report Impact and Funding of State Occupational Safety and Health Programs.

MIOSHA has 11 vacancies that it cannot fill due to budget constraints. Over the summer MIOSHA needs to overcome a \$3 million deficit. In addition to not filling vacancies and laying off most of the student assistants, we still need to come up with more savings. MIOSHA is trying to reduce about an additional million dollars out of the state program budget. MIOSHA has traded in some vehicles which will save approximately \$58,000 a year. Efforts are also being made to consolidate the use of copy machines. MIOSHA is looking at rented office space the agency uses. State of Michigan employees have the option of cutting back hours worked (Plan A) and not getting paid for them to contribute towards savings.

The MIOSHA Training Institute went live October 1, 2007. Course objectives have been developed and exams created to obtain an Institute Level I Certificate. Macomb Community College is keeping track of classes and credits. Eight different courses have already been conducted. Staff is currently working on Level II which will hopefully be launched in 2008.

Mr. Kalinowski advised the Department Director recently wanted a briefing on ergonomics. The cost/benefits information fact sheet needs to be updated. The department director has both a business perspective and a worker perspective. When the draft comes before the commissions to review the commissioners may want to consider holding a joint meeting of the OH and GI commissions to allow all comments to be reviewed and discussed together. A motion was made by Commissioner Pytlik and was seconded by Commissioner Hale requesting a joint meeting of the two commissions. **MOTION CARRIED UNANIMOUSLY.**

Agenda Item #9--OSHA Update--Cynthia Hutchens-Smith, Lansing Area Director

Ms. Hutchens-Smith was unable to attend.

Agenda Item #10--Next Meeting

The next meeting is scheduled for January 9, 2008 at the General Office Building, 7150 Harris Drive, Lansing. The commissioners received a meeting schedule for 2008.

Agenda Item #11--Public Comment

Mr. Fisk introduced himself to the new commissioners. Mr. Fisk requested a copy of fatality report. Mr. Fisk also requested a copy of the cost benefits program that was discussed with regard to the proposed ergonomics standard. Mr. Fisk gave his appreciation to Mr. Reamer for his years of service and his perspective. Mr. Reamer stated he hopes the commissioners will be diligent in attending meetings.

Agenda Item #12--Adjournment

A motion was made by Commissioner Borch and was seconded by Commissioner Hale that with no further business before the Commission, the meeting be adjourned. **MOTION CARRIED UNANIMOUSLY**

Mr. Dennis Emery, Vice Chairperson

Date

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